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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,373	04/11/2001	Tonis Kasvand	8673-117 (8061-598 SJP:kl)	4525
22150	7590	02/02/2006	EXAMINER	
F. CHAU & ASSOCIATES, LLC 130 WOODBURY ROAD WOODBURY, NY 11797			PATEL, ASHOKKUMAR B	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 02/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/832,373

Applicant(s)

KASVAND ET AL.

Examiner

Ashok B. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 107 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-7 are subject to examination.

Response to Arguments

2. Applicant's arguments filed 11/23/2005 have been fully considered but they are not persuasive for the following reasons:

Applicant's argument:

"Claim 1, as previously presented, includes the recitation of "means for receiving said status logs and generating higher level logs in response to receipt of at least two different status logs which satisfy predetermined rule sets. "

" As an example, if there is a predetermined rule set for lower-level logs A then B then C, when lower-level logs A then B then C are received, a higher-level log is generated and commands that are associated with that higher-level log are executed."

As such, Hansen teaches limiting notification or status reporting to only certain "network events. " Network events refer only to a change in status of a device being monitored. There is no teaching or suggestion of two different status logs being received, in response to which a higher level log is generated. Instead, Hansen teaches filtering notification or status reports so that only specific, predefined status changes in a device are reported. There is absolutely no teaching or suggestion anywhere in the Hansen reference of higher-level logs being generated in response to receipt of at least two different status logs which satisfy predetermined rule sets, as recited in claim 1 of the present application."

Examiner's response:

Examiner is at a loss, unable to develop understanding to follow what the Applicant is claiming, while the Applicant is presenting what is being claimed by giving examples with the introduction of the new and irrelevant terminologies like "lower-level logs" which, as admitted by the Applicant, claim 1 does not even recite.

It is the claims that define the claimed invention, and it is claims, not specifications that are anticipated or unpatentable. *Constant v. Advanced Micro-Devices Inc.*, 7 USPQ2d 1064.

Hansen teaches in col. 6, line 54-65, "Specifically, once an administrator 20 requests that a new notification rule be created for a particular device, the set of event conditions known by the network management software 14 pertaining to the present state of the selected device is retrieved by the Create New Notification Rule function 306. It should be understood that while alarm severity conditions and an alarm event type conditions are used for exemplary purposes to create the new notification rule, other conditions that relate to the state of the device on the network may be retrieved and subsequently prepopulated. Furthermore, although a device ID is used for exemplary purposes, the notification rule may be defined to key off of a group or class of devices. For example, a device map can be used to define a class of devices that are associated in some way. In addition, a device type can be used to define a class of devices that share common characteristics, for example all routers."

Thus, Hansen's teachings is not limiting notification or status reporting to only certain "network events. ". And furthermore, there is teaching of two different status logs being received, in response to which a higher level log is generated.

Applicant's argument:

"Claim 4 recites inter alia, providing rule sets that are satisfied by receipt of particular combinations of at least two different status logs and when satisfied, result in the generation of higher level logs." Claim 4 is believed to be patentably distinguished from Hansen for the reasons given.:

Examiner's response:

Please refer to the above response for claim 1.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Hansen et al. (hereinafter Hansen)(US 6, 493, 755).

Referring to claim 1,

Hansen teaches a network administration system for triggering commands in response to receipt of status logs generated by network devices and applications (Fig. 1, element N), comprising:

means for receiving said status logs (col. 4, line 13-15, "The network management software 14 most generally monitors the status of the various network

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devices 18 connected to the network.”) and generating higher level logs in response to receipt of at least two different status logs which satisfy predetermined rule sets being satisfied (col. 4, line 20-24,” Specifically, an administrator 20 is able to configure the notification function provided by the management software to limit notification, or device status reporting, to only those instances in which a network event occurs.”, col. 4, line 56-64);

a user interface for programming execution sets of said commands in association with predetermined ones of said higher level logs; and (col. 4, line 25-28,” Therefore, the administrator 20 is able to request the network management software 14 to execute a notification action only when a preselected event occurs.”)

program means for receiving said higher level logs, parsing each of said higher level logs to determine their respective sources and triggering execution of said commands in said execution sets in respect of each of said respective sources. (col. Line28-45)

Referring to claim 2,

Hansen teaches the network administration system of claim 1, wherein said user interface provides ordered execution of multiple commands associated with said higher level logs in accordance with user preference. (col. 4, lines 20-29).

Referring to claim 3,

Hansen teaches the network administration system of claim 1, wherein said user interface and program means are implemented within one of said network devices.

(Fig.1, element 10)

Referring to claim 4,

Claim 4 is a claim to method steps that are carried by the system claim 1. Therefore claim 4 is rejected for the reasons set forth for claim 1.

Referring to claim 5,

Hansen teaches the method of claim 4, wherein said steps of receiving said status logs and said higher level logs, parsing each of said predetermined ones of said higher level logs to determine their respective sources and triggering execution of said commands in said execution sets further comprise the steps of: a) detecting an execution set associated with a received higher level log; and b) executing each successive command in said execution set. (col. 4, line 20-45).

Referring to claim 6,

Hansen teaches the network administration system of claim 1, wherein said means for receiving said status logs and generating higher level logs includes means for generating further higher level logs in response to receipt of at least one of:

a) at least two different higher level logs; and

b) at least one higher level log and at least one status log. (col. 4, line 39-45, "The action performed when a notification rule is triggered is called a "notification action."

Examples of notification actions may be paging a users pager, sending email, playing sounds or beeps on a speaker, or logging event messages to a network log, on the network management software. The particular notification action, or combination of notification actions, is typically specified by the administrator.")

Referring to claim 7,

Claim 7 is a claim to method steps that are carried by the system claim 6. Therefore claim 7 is rejected for the reasons set forth for claim 6.

Conclusion

Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (571) 272-3972. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abp

 JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100